



MEMORANDUM

TO: HEALTH AND HUMAN SERVICES TASK FORCE MEMBERS
FROM: CHRISTIE HERRERA, HHS TASK FORCE DIRECTOR
RE: 35-DAY MAILING—HHS TASK FORCE MEETING AT ALEC’S 2010 STATES AND NATION POLICY SUMMIT, WASHINGTON, D.C.
DATE: OCTOBER 27, 2010

Overview of HHS Activities at ALEC’s 2010 States and Nation Policy Summit

The American Legislative Exchange Council will hold its 2010 States and Nation Policy Summit (SNPS) from December 1-3 at the [Grand Hyatt Washington](#) in D.C. A SNPS [agenda](#) and [registration page](#) are now online, and the cutoff for early bird registration is November 10.

Please “save the date” for the following HHS activities at SNPS:

Wednesday, December 1

10:00-11:30 a.m. (tentative time)

Panel Discussion

“Everything You Wanted to Know About Health Reform, But Were Afraid to Ask”

Join nationally-renowned health policy experts as they discuss the latest with the federal health reform law—including lawsuits, exchanges, Hill efforts on defunding/repeal, and how state legislators can fight back. All ALEC SNPS attendees are invited to participate in this important discussion.

12:00-2:00 p.m.

Opening Luncheon on Health Reform

SPEAKERS: Brian Goff, Novartis Corporation and Former U.S. House Speaker Newt Gingrich

2:15-3:30 p.m.

Workshop #1

“Comparative Effectiveness Research: Rationing Care or Improving Quality?”

Comparative effectiveness research, a major part of federal health reform, is often hailed as the “next best thing” in health care. Supporters say that comparative effectiveness research—which studies clinical effectiveness of different health treatments—will result in lower costs and better patient care. But a growing number of researchers, physicians, and patients say that comparative effectiveness research can potentially lead rationing of health services and prescription drugs, the politicization of medicine, and the government picking “winners and losers” in the industry. Join nationally-renowned health care experts as they discuss comparative effectiveness research, its shortcomings, and its possibilities.

SPEAKERS: Scott Gottlieb, Resident Fellow, American Enterprise Institute; Bob Goldberg, President, Center for Medicine in the Public Interest; Michael Cannon, Director of Health Policy Studies, Cato Institute

Thursday, December 2

2:30-5:30 p.m.

HHS Task Force Meeting

ALEC's Health and Human Services Task Force will meet to discuss a number of hot topics, including an update on health reform, an in-depth look at health care lawsuits, and the promise of private charity initiatives. Proposed ALEC models will be considered on federal health reform, interstate insurance compacts, and wellness programs.

Friday, December 3

8:00 a.m.-2:15 p.m.

**Plenary Breakfast, Workshop #8, Workshop #10, Plenary Luncheon
Federalism/10th Amendment Issues**

Save the date for an entire day of federalism/10th Amendment workshops and meal sessions, including policy discussions on health reform. More details forthcoming!

About This Mailing

In addition to this electronic-only 35-Day Mailing, all materials can be accessed online at the [HHS Task Force Member Area](#) on ALEC's website. Once you are logged in, click the "HHS 35 Day Mailing" document at the top of the page to find the 35-Day Mailing in one complete PDF, or click on the "2010 States & Nation Policy Summit" folder to access the mailing's individual documents.

Keep in mind that you will need your ALEC username and password to access the 35-Day Mailing online. Conversely, if you choose to receive 35-Day Mailings via "snail mail," please contact Monica Mastracco at 202-742-8525 or at mmastracco@alec.org. We will assume that you prefer the 35-Day Mailing e-mailed to you unless you indicate otherwise.

Enclosed Materials

Please find the following HHS briefing materials enclosed for SNPS:

- Faxable registration form for SNPS
- Agenda-At-A-Glance for SNPS
- Tentative Agenda for the HHS Task Force Meeting
- Potential Model Legislation:
 - *Unintended Consequences Prevention Act*, sponsored by Georgia Senator Judson Hill
 - *Insurance Compact Enabling Act*, sponsored by Goldwater Institute's Byron Schlomach
 - Supplements to the *Insurance Compact Enabling Act*: Model Notice of Confirmation and Model Interstate Insurance Compact (for information purposes only)
 - *Wellness Promotion Act*, sponsored by Georgia Senator Judson Hill
- HHS Task Force Roster
- Draft Minutes from the HHS Task Force Meeting at ALEC's 37th Annual Meeting
- ALEC's Mission Statement/Scholarship Policy by Meeting/Task Force Operating Procedures

Questions?

I look forward to seeing everyone in D.C. If you have any questions or comments regarding the meeting, please contact me at (202) 742-8505 or at christie@alec.org. Thank you for all you do to make ALEC a great organization for great health care policy!

1101 Vermont Avenue, N.W., 11th Floor • Washington, D.C. 20005 • 202-742-8505 • Fax: 202-466-3801 • www.alec.org

ATTENDEE

REGISTRATION / HOUSING FORM

AMERICAN LEGISLATIVE EXCHANGE COUNCIL
ALEC



Early registration deadline: November 10, 2010
Housing cut-off date: November 04, 2010

**Grand Hyatt Washington
Hotel**
1000 H Street, NW
Washington, DC 20001

December 1-3, 2010

Online
www.alec.org

Fax (credit cards only)
202.331.1344

Phone / Questions • Mon-Fri, 9am-5:30 pm Eastern
Registration: 202.742.8538 / Housing: (800) 221-3531

Mail • ALEC Registration & Housing
P.O. Box 96754 • Washington, DC 20090-6754

ATTENDEE INFORMATION

Prefix (required) ☐ Sen ☐ Rep ☐ Del ☐ Mr ☐ Mrs ☐ Ms ☐ Other _____
Last Name _____ First Name _____ Middle Initial _____ Badge Nickname _____
Title _____
Organization (required) _____
Address _____ Suite # _____
City _____ State/Province _____ Country _____ ZIP/Postal code _____
Daytime phone _____ Fax _____ Alternate phone _____
Email (confirmation will be sent by email) _____
Spouse / Guest: If registering a spouse or guest, please complete the spouse/guest registration form.

REGISTRATION INFORMATION

****Save \$50 on registration by booking your hotel room in ALEC's headquarter hotel****

DISCOUNTED REGISTRATION FEES are extended only to registrants booking ALEC's headquarter hotel. Your \$50 savings will become valid when accommodations are confirmed.

Note: Member fees are subject to verification

- ☐ I have already registered # _____
- ☐ ALEC Legislative Member
- ☐ Legislator / Non-Member
- ☐ Newly Elected Legislator (2010 Election Cycle)
- ☐ ALEC Private Sector Member
- ☐ Private Sector Non-Member
- ☐ ALEC Non-Profit Member (501(c)(3) status required)
- ☐ Non-Profit Non-Member (501(c)(3) status required)
- ☐ Legislative Staff / Government
- ☐ ALEC Legacy Member

	Early Until 11/10	On-Site Begin 11/11	Amount
<input type="checkbox"/> I have already registered # _____			
<input type="checkbox"/> ALEC Legislative Member	\$ 375	\$ 475	\$ _____
<input type="checkbox"/> Legislator / Non-Member	\$ 475	\$ 575	\$ _____
<input type="checkbox"/> Newly Elected Legislator (2010 Election Cycle)	\$ 375	\$ 475	\$ _____
<input type="checkbox"/> ALEC Private Sector Member	\$ 725	\$ 875	\$ _____
<input type="checkbox"/> Private Sector Non-Member	\$ 925	\$ 1100	\$ _____
<input type="checkbox"/> ALEC Non-Profit Member (501(c)(3) status required)	\$ 525	\$ 625	\$ _____
<input type="checkbox"/> Non-Profit Non-Member (501(c)(3) status required)	\$ 675	\$ 825	\$ _____
<input type="checkbox"/> Legislative Staff / Government	\$ 400	\$ 500	\$ _____
<input type="checkbox"/> ALEC Legacy Member	\$ 0	\$ 0	\$ _____

Promo Code _____

TOTAL REGISTRATION FEES: \$ _____

Note: Registration forms with enclosed payments must be postmarked by November 10, 2010 to be eligible for early registration rates. Forms and/or payments received after November 10 will be subject to the on-site registration rate. If registering after November 10, please bring completed form and payment to register on-site.

REGISTRATION CONFIRMATION INFORMATION

Online registrants will receive immediate email confirmation. If registering by form, confirmation will be emailed, faxed, or mailed within 72 hours of receipt of payment.

REGISTRATION CANCELLATION / REFUND INFORMATION

Registrations cancelled prior to 5pm Eastern November 10, 2010 are subject to a \$100 cancellation fee. Registrations are non-refundable after 5pm Eastern November 10, 2010.

HOUSING

RESERVATION CUTOFF FOR ALEC DISCOUNTED RATE IS NOVEMBER 4, 2010

****Save \$50 on registration by booking your hotel room in ALEC's headquarter hotel****

- ☐ I do not require a reservation at this time.

Arrival Date _____ Departure Date _____

- ☐ Sharing room with _____

Room type

- ☐ Single (1 person - 1 bed) \$ 269
- ☐ Double (2 persons - 1 bed) \$ 294
- ☐ Db/Db (2 persons - 2 beds) \$ 294
- ☐ Triple (3 persons - 2 beds) \$ 319
- ☐ Quad (4 persons - 2 beds) \$ 344
- ☐ Government rate Not Available

* All rates DO NOT include sales tax 14.5 % (subject to change)

Suites and upgraded accommodations are available upon request. Please call ALEC Housing at the number listed above for additional information.

Special requests

- ☐ ADA room required:
_____ Audio _____ Visual _____ Mobile
- ☐ Rollaway / crib: _____
- ☐ Other: _____

METHOD OF HOUSING PAYMENT

- ☐ Please use the same method of payment as above.

Credit Card: Credit Cards will be used to guarantee the reservation.

- ☐ Amer Express ☐ Visa ☐ MasterCard ☐ Discover

Card # _____

Cardholder (please print) _____

Exp Date (mm/yy) _____ Security Code _____

Signature _____

Checks: Payment must be in U.S. currency drawn on a U.S. bank. Please make check payable to ALEC and send to above address.

Note: Cutoff for reservations at the ALEC rate is November 4, 2010. After November 4, 2010, every effort will be made to accommodate new reservations, based on availability and rate.

HOUSING CONFIRMATION INFORMATION

Online reservations will receive immediate email confirmation. Reservations received by form will be confirmed via email, fax, or mail within 72 hours of receipt.

HOUSING CANCELLATION / REFUND INFORMATION

Credit cards will be charged one night room and tax in the event of a no show or if cancellation occurs within 72 hours prior to arrival. Departures prior to the departure date confirmed by the hotel at check-in will result in a charge of one night room and tax. Please obtain a cancellation number when your reservation is cancelled.

SPOUSE / GUEST REGISTRATION / HOUSING FORM

December 1-3, 2010

AMERICAN LEGISLATIVE EXCHANGE COUNCIL
ALEC

**Grand Hyatt Washington
Hotel**
1000 H Street, NW
Washington, DC 20001



Grand Hyatt Washington

Online
www.alec.org

Fax (credit cards only)
202.331.1344

Phone / Questions • Mon-Fri, 8am-5:30 pm Eastern
202.742.8538

Mail • ALEC Registration & Housing
P.O. Box 96754 • Washington, DC 20090-6754

ATTENDEE INFORMATION IS REQUIRED TO REGISTER A SPOUSE OR GUEST

Prefix (required) ☐ Sen ☐ Rep ☐ Del ☐ Mr ☐ Mrs ☐ Ms ☐ Other _____

Last Name _____ First Name _____ Middle Initial _____ Badge Nickname _____

Title _____

Organization (required) _____

Address _____ Suite # _____

City _____ State/Province _____ Country _____ ZIP/Postal code _____

Daytime phone _____ Fax _____ Alternate phone _____

Email (confirmation will be sent by email) _____

SPOUSE / GUEST REGISTRATION

SPOUSE / GUEST REGISTRATION GUIDELINES

1. Spouse / guest registration is meant to accommodate legal spouse and immediate family members.
2. Attendees from the same organization must register independently. No exception will be made.
3. Spouse / guest designation will be clearly visible on name badge.
4. Spouse / guest registrants are not eligible to attend ALEC Task Force meetings.

Last Name _____ First Name _____ Middle initial _____ Badge Nickname _____

Last Name _____ First Name _____ Middle initial _____ Badge Nickname _____

Last Name _____ First Name _____ Middle initial _____ Badge Nickname _____

SPOUSE / GUEST REGISTRATION FEES	Number of Spouse/Guest(s)	Early Until 11/10	On-Site Begin 11/11	TOTAL
<input type="checkbox"/> Spouse / Guest <i>please note name(s) above</i>	_____	\$ 150	\$ 150	\$ _____

METHOD OF SPOUSE / GUEST REGISTRATION PAYMENT

Credit Card: Credit cards will be charged immediately. Please fax to the above number for processing.

☐ Amer Express Card # _____

☐ Visa Cardholder (please print) _____

☐ MasterCard Exp Date (mm/yy) _____ Security Code _____

Signature _____

Checks: Payment must be in U.S. currency drawn on a U.S. bank. Please make check payable to ALEC Registration and send to above address.

Note: If registering after November 10, please bring completed form and payment to register on-site.

REGISTRATION CONFIRMATION INFORMATION

Online registrants will receive immediate email confirmation to the address provided above. If registering by form, confirmation will be emailed, faxed, or mailed within 72 hours of receipt of payment.

REGISTRATION CANCELLATION / REFUND INFORMATION

Registrations cancelled prior to 5pm Eastern November 10, 2010 are subject to a \$100 cancellation fee. Registrations are non-refundable after 5pm Eastern November 10, 2010.

2010 States & Nation Policy Summit Agenda*

Tuesday, November 30th		
Joint Board of Directors Meetings	8:00 a.m. - 5:30 p.m.	Farragut/Lafayette
Registration	12:00 p.m. - 5:00 p.m.	Independence Foyer
ALEC Joint Board Reception and Dinner	6:30 p.m. - 9:30 p.m.	Off-site
Wednesday, December 1st		
Registration	7:30 a.m. - 5:00 p.m.	Independence Foyer
Task Force Subcommittee Meetings	8:00 a.m. - 11:45 a.m.	
Exhibit Hall	9:00 a.m. - 3:00 p.m.	Independence Foyer
State Chairs Meeting	9:00 a.m. - 11:45 a.m.	Willson/Roosevelt
New Legislator Orientation	10:30 a.m. - 11:30 a.m.	Franklin Square
Opening Plenary Luncheon	12:00 p.m. - 2:00 p.m.	Independence A
Task Force Chairs Meeting	2:15 p.m. - 3:15 p.m.	Franklin Square
Workshop I: Comparative Effectiveness Research: Rationing Care or Improving Quality?	2:15 p.m. - 3:30 p.m.	Farragut/Lafayette
Workshop II: Higher Education	3:45 p.m. - 5:00 p.m.	Farragut/Lafayette
National Chairman's Reception, <i>by invitation only</i>	5:30 p.m. - 6:30 p.m.	Independence IH
Hospitality Suite	9:00 p.m. - 11:00 p.m.	Congressional Parlor
Thursday, December 2nd		
Registration	7:30 a.m. - 5:00 p.m.	Independence Foyer
Plenary Breakfast	8:00 a.m. - 9:15 a.m.	Independence A
Exhibit Hall	9:00 a.m. - 3:00 p.m.	Independence Foyer
Workshop III: Show Me the Money: Budget Transparency in the States	9:30 a.m. - 10:45 a.m.	Farragut Square
Workshop IV: Delivering Justice to Rape Victims while Minimizing Taxpayer Cost	9:30 a.m. - 10:45 a.m.	Lafayette Park
Workshop V: Cutting Crime and Budgets: The National Movement	11:00 a.m. - 12:15 p.m.	Farragut Square
Workshop VI: EPA's Regulatory Assault: Higher Prices, Fewer Jobs, and Less Energy	11:00 a.m. - 12:15 p.m.	Lafayette Park
Plenary Luncheon	12:30 p.m. - 2:15 p.m.	Independence A
Task Force Meetings	2:30 p.m. - 5:30 p.m.	
<ul style="list-style-type: none"> • Energy, Environment, and Agriculture • Health and Human Services • Public Safety and Elections • Tax and Fiscal Policy 		Farragut/Lafayette Independence CDE Independence FG Independence IH
Gala Holiday Reception	6:00 p.m. - 8:00 p.m.	Constitution AB
Hospitality Suite	9:00 p.m. - 11:00 p.m.	Congressional Parlor

Friday, December 3rd		
Registration	7:30 a.m. - 2:00 p.m.	Independence Foyer
Plenary Breakfast	8:00 a.m. - 9:15 a.m.	Independence A
Exhibit Hall	9:00 a.m. - 3:00 p.m.	Independence Foyer
Workshop VII: Federalism I	9:30 a.m. - 10:45 a.m.	Farragut Square
Workshop VIII: Overcriminalization	9:30 a.m. - 10:45 a.m.	Lafayette Park
Workshop IX: A Tax in Sheep's Clothing: How Extended Producer Responsibility Mandates Can Hurt Consumers and Business	11:00 a.m. - 12:15 p.m.	Farragut Square
Workshop X: Federalism II	11:00 a.m. - 12:15 p.m.	Lafayette Park
Plenary Luncheon	12:30 p.m. - 2:15 p.m.	Independence A
Task Force Meetings	2:30 p.m. - 5:30 p.m.	
• Civil Justice		Farragut/Lafayette
• Commerce, Insurance and Economic Development		Independence GHI
• Education		Independence CDE
• Telecommunications and Information Technology		Constitution A
• International Relations		Constitution B
Louisiana Preview Reception for 2011	5:30 p.m. - 6:30 p.m.	Franklin Square
Annual Meeting		
State Delegation Night	Beginning at 6:30 p.m.	See Your State Chair

* Agenda subject to change.



**Health and Human Services Task Force Meeting
ALEC's 2010 States and Nation Policy Summit
Thursday, December 2, 2010
2:30 – 5:30 p.m.
Grand Hyatt Washington, Independence Ballroom CDE**

TENTATIVE AGENDA

- 2:30 p.m. Welcoming Remarks**
Roundtable Introduction of Task Force Members and Guests
Recognition of New and Returning ALEC Private Sector Members
Approval of Minutes from ALEC's 37th Annual Meeting
Explanation of Task Force Chair Succession
Iowa Representative Linda Upmeyer, Public Sector Chair
Julie Corcoran, Bayer Healthcare, Private Sector Chair
- 2:45 p.m. SPECIAL PRESENTATIONS**
Health Reform: Where It Is, Where It's Going
Jeff Buel, Johnson & Johnson
- 3:00 p.m. *Association of American Physicians and Surgeons v. Sebelius***
Larry Joseph, attorney for the Association of American Physicians and Surgeons
- 3:15 p.m. Private Charity Initiative**
James Lansberry, Alliance of Health Care Sharing Ministries
- 3:30 p.m. MODEL LEGISLATION: DISCUSSION AND VOTING**
Unintended Consequences Prevention Act
Sponsored by Georgia Senator Judson Hill
- 4:15 p.m. *Insurance Compact Enabling Act (dual-referred to ALEC's CIED and HHS Task Forces)***
Sponsored by Byron Schlomach, Goldwater Institute
- 5:00 p.m. *Wellness Promotion Act***
Sponsored by Georgia Senator Judson Hill
- 5:30 p.m. Good of the Order/Adjournment**

UNINTENDED CONSEQUENCES PREVENTION ACT
(DRAFT, DECEMBER 2, 2010)

SUMMARY

This Act provides that no state department or agency shall implement or enforce any provision of the federal *Patient Protection and Affordable Care Act* unless the department or agency provides a certain report to the legislature, and the legislature authorizes such implementation or enforcement by statute.

MODEL LEGISLATION

Section 1. Findings. The legislature finds that:

A. **{Insert state}**'s health care system has been developed to address the unique circumstances in **{insert state}** and to provide solutions that work for **{insert state}**; and

B. The federal *Patient Protection and Affordable Care Act*:

1. Infringes on state powers;
2. Imposes a uniform solution to a problem that requires different responses in different states;
3. Threatens the progress **{insert state}** has made towards health care system reform; and
4. Infringes on the rights of citizens of this state to provide for their own health care by:
 - a. Requiring a person to enroll in a third-party payment system;
 - b. Imposing fines on a person who chooses to pay directly for health care rather than use a third-party payer;
 - c. Imposing fines on an employer that does not meet federal standards for providing health care benefits for employees; and
 - d. Threatening private health care systems with competing government supported health care systems.

Section 2. Model Legislation

A. A department or agency of this state shall not implement or enforce any part of the federal *Patient Protection and Affordable Care Act* unless:

1. The department or agency reports to the legislature in accordance with Subsection B of this section; and
2. The legislature passes legislation specifically authorizing the state's implementation or enforcement of the federal *Patient Protection and*

Affordable Care Act, if such implementation or enforcement authority does not already exist.

B. The report required under Subsection A of this section shall include:

1. The specific section of the federal *Patient Protection and Affordable Care Act* that requires the state to implement or enforce a federal reform provision;
2. Whether the reform provision has any state waiver or options;
3. Exactly what the reform provision requires the state to do and how it would be implemented;
4. Who in the state will be impacted by adopting the federal reform provision or not adopting the federal reform provision;
5. The cost to the state or citizens of the state to implement the federal reform provision;
6. The consequences to the state if the state does not comply with the federal reform provision.

Section 3. {Severability Clause}

Section 4. {Repealer Clause}

Section 5. {Effective Date}

INSURANCE COMPACT ENABLING ACT
(DRAFT, DECEMBER 2, 2010)

SUMMARY

This Act allows a state, along with party states, to exercise sovereign police powers and solemnly agree to the following Interstate Insurance Compact.

MODEL LEGISLATION

Section 1. Findings and Declaration of Policy.

A. **{Insert state}** and the party states find public health, safety, and morals, as well as individual liberty and economic development, are best served by open and competitive insurance markets and the freedom to sell and purchase insurance products without unreasonable governmental interference.

B. It is the policy of **{insert state}** and the party states to:

1. Secure the right of any insurance company that is lawfully doing business within the jurisdiction of any compacting state to reciprocal access to any corresponding intrastate insurance market within the jurisdiction of any compacting state; and
2. Secure the right of any person that is domiciled in any compacting state to maintain freedom of choice among insurance policies, as well as the coverage and terms of existing insurance policies, in any and all compacting states.

Section 2. Definitions. As used in this Compact:

A. "State" means a state of the United States.

B. "Insurance policy" means any contract in which one person promises and undertakes, in exchange for consideration of a set or assessed amount of money, to make a payment to either another party or a third-party if a specified event occurs involving a loss, casualty, illness, bodily injury, or death.

C. "Insurance company" means any organization that offers insurance policies.

Section 3. Terms.

A. Any insurance company doing business within the jurisdiction of any compacting state, in compliance with the laws of that state, has the vested right to do business within the jurisdiction of all compacting states under the same terms and conditions.

B. Any insurance company that is doing business within the jurisdiction of any compacting state, in compliance with the laws of that state, shall have unhindered reciprocal access to any corresponding intrastate insurance market within the jurisdiction of any other compacting state.

C. Any person who is domiciled in any compacting state and who has contracted for any insurance policy in compliance with the laws of that state has the vested right to maintain the coverage and terms of that policy in all compacting states regardless of domicile.

D. Any person who is domiciled in any compacting state shall not be prohibited by law from purchasing or selling any insurance policy that is offered in compliance with the laws of any compacting state.

E. No law or regulation shall compel, directly or indirectly, any person to purchase any insurance policy as a condition of lawful residency.

F. No person shall be required to pay penalties or fines for paying directly for goods or services that might otherwise be paid through an insurance policy.

Section 4. Enforcement.

A. Anyone knowingly interfering with the foregoing terms and conditions shall have committed both a civil rights violation and a criminal offense under the laws of the party state in which such interference occurs.

B. Redress for any civil rights violation hereunder shall be available in the courts of any party state both for the victim of such interference and for any taxpaying resident of any party state, the latter of whom shall be regarded as acting in the public interest on behalf of the party state in which they reside.

C. Remedies for any civil rights violation hereunder shall include compensatory monetary damages, court costs, litigation expenses, attorney's fees, as well as declaratory and injunctive relief.

D. Any criminal offense hereunder shall be punishable by a prison sentence of up to five years and a fine of not less than \$5,000.

E. The chief law enforcement officer of each party state shall coordinate criminal offense enforcement efforts under this Section with other party states.

Section 5. Compact Administrator and Interchange of Information.

A. The governor of each party state, or the governor's designee, shall be the "compact administrator" of this compact for his or her state. The compact administrator shall have the power to formulate all necessary and proper procedures to effectuate this compact, and to delegate needed tasks to state agencies.

B. The compact administrator of each party state shall furnish to the compact administrator of each other party state any information or documents reasonably necessary to facilitate the administration of this Compact.

Section 6. Entry Into Force and Withdrawal.

A. This Compact shall enter into force and become effective as to any state when it has enacted the same into law.

B. Any party state may withdraw from this Compact by enacting a statute repealing the same, but no such withdrawal shall take effect until four years after the executive head of the withdrawing state has given notice of the withdrawal to the executive heads of all other party states. No withdrawal shall affect the validity or applicability

of the Compact to states remaining party to the Compact. Party states shall have the power to rescind any notice of withdrawal within said four year period.

Section 7. Construction and Severability.

A. This Compact shall be liberally construed so as to effectuate the purposes thereof. If it receives congressional consent, it is intended to operate as the law of the nation with respect to the party states and to stop the federal government from engaging in any action inconsistent with the grant of congressional consent. The provisions of this Compact shall be severable; and if any phrase, clause, sentence, or provision of this Compact is declared to be contrary to the constitution of any party state or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this Compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this Compact shall be held contrary to the constitution of any state party thereto, the Compact shall remain in full force and effect as to remaining states and in full force and effect as to the state affected as to all severable matters.

B. The governor of each signing state shall be responsible for effectuating the Interstate Insurance Compact and delegating needed tasks to state agencies.

C. The compact administrator provided for in Section 5 of this Compact shall not be entitled to any additional compensation on account of his service as such administrator, but shall be entitled to expenses incurred in connection with his duties and responsibilities as such administrator, in the same manner as for expenses incurred in connection with any other duties or responsibilities of his office or employment.

D. The Interstate Insurance Compact shall supersede and control all contrary law.

Section 8. {Effective Date}

SUPPLEMENT TO INSURANCE COMPACT ENABLING ACT:
MODEL NOTICE OF CONFIRMATION

WHEREAS, The Interstate Insurance Compact was formed to provide means through which the signing jurisdictions may participate in a reciprocal program to effectuate the stated policies and purposes of the Compact, and

WHEREAS, Authority to enter the Compact is contained in **{insert statute}**; and

WHEREAS, The Compact will serve to mutually benefit the residents, businesses, and the operation of government in the party jurisdictions.

NOW THEREFORE, In consideration of the mutual and reciprocal benefits to flow therefrom, and pursuant to the authority contained in **{insert statutory citation of authority}**, the “Interstate Insurance Compact” is hereby confirmed.

FURTHER PROVIDED That the desired date of entry **{is/was}** **{insert date}**; and
(Drafting Note: Effective date of entry must be at least 60 days after notification is given to other compact members by the Secretary.)

FURTHER PROVIDED That this jurisdiction agrees to comply with the terms and provisions of the Compact.

Authority for administration of this Compact within this jurisdiction is vested in the office of the governor of each signing state, unless a different administrator is designated by the governor.

DATED: **{Insert date}**

FOR THE STATE OF: **{Insert state}**

TITLE: **{Insert title of compact administrator}**

SIGNATURE: **{Display signature of compact administrator}**

For Secretary Use:
Notice Received **{insert date}**
Notice sent to Compact members **{insert date}**

SUPPLEMENT TO INSURANCE COMPACT ENABLING ACT:
MODEL INTERSTATE INSURANCE COMPACT

The Party States herewith exercise their sovereign police powers and solemnly agree to the following articles of the Interstate Insurance Compact.

Article I. Findings and Declaration of Policy.

1. The Party States find public health, safety and morals, as well as individual liberty and economic development, are best served by open and competitive insurance markets and the freedom to sell and purchase insurance products without unreasonable governmental interference.

2. It is the policy of each of the Party States to:

A. Secure the right of any insurance company that is lawfully doing business within the jurisdiction of any Compacting state to reciprocal access to any corresponding intrastate insurance market within the jurisdiction of any Compacting state; and

B. Secure the right of any person that is domiciled in any Compacting state to maintain freedom of choice among insurance policies, as well as the coverage and terms of existing insurance policies, in any and all Compacting states.

Article II. Definitions. As used in this Compact:

1. “State” means a state of the United States.

2. “Insurance policy” means any contract in which one person promises and undertakes, in exchange for consideration of a set or assessed amount of money, to make a payment to either another party or a third-party if a specified event occurs involving a loss, casualty, illness, bodily injury or death.

3. “Insurance company” means any organization that offers insurance policies.

Article III. Terms.

1. Any insurance company doing business within the jurisdiction of any Compacting state, in compliance with the laws of that state, has the vested right to do business within the jurisdiction of all Compacting states under the same terms and conditions.

2. Any insurance company that is doing business within the jurisdiction of any Compacting state, in compliance with the laws of that state, shall have unhindered reciprocal access to any corresponding intrastate insurance market within the jurisdiction of any other Compacting state.

3. Any person who is domiciled in any Compacting state and who has contracted for any insurance policy in compliance with the laws of that state has the vested right to maintain the coverage and terms of that policy in all Compacting states regardless of domicile.

4. Any person who is domiciled in any Compacting state shall not be prohibited by law from purchasing or selling any insurance policy that is offered in compliance with the laws of any Compacting state.

5. No law or regulation shall compel, directly or indirectly, any person to purchase any insurance policy as a condition of lawful residency.

6. No person shall be required to pay penalties or fines for paying directly for goods or services that might otherwise be paid through an insurance policy.

Article IV. Enforcement.

1. Anyone knowingly interfering with the foregoing terms and conditions shall have committed both a civil rights violation and a criminal offense under the laws of the Party State in which such interference occurs.

2. Redress for any civil rights violation hereunder shall be available in the courts of any Party State both for the victim of such interference and for any taxpaying resident of any Party State, the latter of whom shall be regarded as acting in the public interest on behalf of the Party State in which they reside.

3. Remedies for any civil rights violation hereunder shall include compensatory monetary damages, court costs, litigation expenses, attorney's fees, as well as declaratory and injunctive relief.

4. Any criminal offense hereunder shall be punishable by a prison sentence of up to five years and a fine of not less than \$5,000.

5. The chief law enforcement officer of each Party State shall coordinate criminal offense enforcement efforts under this Article with other Party States.

Article V. Compact Administrator and Interchange of Information.

1. The governor of each Party State, or the governor's designee, shall be the "Compact Administrator" of this Compact for his or her state. The Compact Administrator shall have the power to formulate all necessary and proper procedures to effectuate this Compact, and to delegate needed tasks to other state agencies.

2. The Compact Administrator of each Party State shall furnish to the Compact Administrator of each other Party State any information or documents reasonably necessary to facilitate the administration of this Compact.

Article VI. Entry Into Force and Withdrawal.

1. This Compact shall enter into force and become effective as to any state when it has enacted the same into law.

2. Any Party State may withdraw from this Compact by enacting a statute repealing the same, but no such withdrawal shall take effect until four years after the executive head of the withdrawing state has given notice of the withdrawal to the executive heads of all other Party States. No withdrawal shall affect the validity or applicability of the Compact to states remaining party to the Compact. Party States shall have the power to rescind any notice of withdrawal within said four year period.

Article VII. Construction and Severability. This Compact shall be liberally construed so as to effectuate the purposes thereof. If it receives congressional consent, it is intended to

operate as the Law of the Nation with respect to the Party States and to stop the federal government from engaging in any action inconsistent with the grant of congressional consent. The provisions of this Compact shall be severable; and if any phrase, clause, sentence, or provision of this Compact is declared to be contrary to the constitution of any Party State or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this Compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this Compact shall be held contrary to the constitution of any state party thereto, the Compact shall remain in full force and effect as to remaining states and in full force and effect as to the state affected as to all severable matters.

WELLNESS PROMOTION ACT
(DRAFT, DECEMBER 2, 2010)

SUMMARY

This Act requires insurers that issue plans of individual accident and sickness insurance to include, within at least one plan, a wellness incentive program.

MODEL LEGISLATION

Section 1. Insurers that issue plans of individual accident and sickness insurance in this state shall include within at least one such plan offered in this state a wellness incentive program under which the insurer shall provide annually a partial premium cash reimbursement for those insureds under such policy who meet the requirements of such wellness incentive program, including, but not limited to, participating in wellness and health promotion programs, disease and condition management programs, and health risk appraisal programs and providing biometric data, such as blood pressure levels, cholesterol levels, and body mass index values, conforming with nationally recognized standards based upon age or industry recognized biometrics.

Section 2. {Severability Clause}

Section 3. {Repealer Clause}

Section 4. {Effective Date}

HHS Task Force Roster
October 26, 2010

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HHS Task Force Roster
October 26, 2010

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Rep.	Donna	Sheldon	Georgia General Assembly	206 Washington St.	Rm. 415	Atlanta	GA	30334	(404) 656-5025	(404) 651-8086	donna.sheldon@house.ga.gov; sheldon105@bellsouth.net
Sen.	Renee	Unterman	Georgia General Assembly	P.O. Box 508		Buford	GA	30518	(404) 463-1368	(770) 466-6361	untermanr@bellsouth.net
Sen.	Patti	Lodge	Idaho Legislature	P.O. Box 96		Huston	ID	83630	(208) 334-2475	(208) 334-5397	palodge@senate.idaho.gov
Rep.	Patricia	Bellock	Illinois Legislature	One South Cass Ave.	Ste. 205	Westmont	IL	60559	(217) 782-1448	(217) 782-2289	rep@pbellock.com
Rep.	David	Frizzell	Indiana Legislature	8310 Hill Gail Dr.		Indianapolis	IN	46217	(317) 232-9981	(317) 232-7644	dfrizz77@hotmail.com
Sen.	David	Hartsuch	Iowa Legislature	1007 East Grand Avenue		Des Moines	IA	50319	(515) 864-5371	(515) 242-6108	david.hartsuch@legis.state.ia.us
Rep.	David	Heaton	Iowa Legislature	1007 East Grand Ave.		Des Moines	IA	50319	(515) 281-3221	(515) 281-6958	dave.heaton@legis.state.ia.us
Rep.	Linda	Miller	Iowa Legislature	1007 East Grand Ave.		Des Moines	IA	50319	(515) 281-3221	(515) 281-6958	Linda.Miller@legis.state.ia.us; ljm@hwmiller.com
Rep.	Linda	Upmeyer	Iowa Legislature	2175 Pine Avenue		Garner	IA	50438	(515) 281-3221	(515) 281-6958	linda.upmeyer@legis.state.ia.us
Rep.	Phil	Hermanson	Kansas Legislature	300 SW 10th St.		Topeka	KS	66612	(317) 232-9600	(317) 232-9679	philhermanson@cox.net
Rep.	Peggy	Mast	Kansas Legislature	State Capitol Bldg.		Topeka	KS	66612	(785) 296-7685	(620) 343-1559	pmast@ink.org
Rep.	Scott	Schwab	Kansas Legislature	14953 W 140th Terrace		Olathe	KS	66062	(913) 397-0887	(801) 205-2898	schwab@scottschwab.com
Sen.	Tom	Buford	Kentucky Legislature	702 Capitol Ave.	Rm. 252	Frankfort	KY	40601	(502) 564-8100	(502) 564-2466	bisquit0000@hotmail.com
Sen.	Julie	Denton	Kentucky Legislature	1708 Golden Leaf Way		Louisville	KY	40245	(502) 564-8100	(502) 564-6543	julie.denton@lrc.ky.gov
Sen.	James	Worley	Kentucky Legislature	Capitol Annex	Rm. 229	Frankfort	KY	40601	(502) 564-8100 x6	(502) 564-5508	ed.worley@lrc.ky.gov

HHS Task Force Roster
October 26, 2010

Rep.	Jean	Doerge	Louisiana Legislature	732 Main Street		Minden	LA	71055	(225) 342-6945	(225) 342-8336	larep010@legis.state.la.us
Sen.	Dale	Erdey	Louisiana Legislature	PO Box 908		Livingston	LA	70754	(225) 342-2040	(225) 342-0617	erdeyd@legis.state.la.us
Rep.	John	LaBruzzo	Louisiana Legislature	900 North Third Street		Baton Rouge	LA	70804	(225) 342-6945	(225) 342-8336	larep081@legis.state.la.us
Rep.	Bernard	LeBas	Louisiana Legislature	115 Southwest Railroad Ave.		Ville Platte	LA	70586	337-363-0152	337-363-0179	lebasb@legis.state.la.us
Sen.	Willie	Mount	Louisiana Legislature	P.O. Box 94183		Baton Rouge	LA	70804	(225) 342-2040	(225) 342-0617	lasen27@legis.state.la.us
Rep.	Thomas	Willmott	Louisiana Legislature	900 North Third Street		Baton Rouge	LA	70804	(225) 342-6945	(225) 342-8336	willmott@legis.state.la.us; twillmott@legis.state.la.us
Del.	Joseph	Boteler	Maryland Legislature	6 Bladen St.	Rm. 303	Annapolis	MD	21401	(410) 841-3365	(410) 841-3034	joseph.boteler@house.state.md.us
Del.	Adelaide	Eckardt	Maryland Legislature	6 Bladen St.	Rm. 213	Annapolis	MD	21401	(410) 841-3343	(410) 841-3299	adelaide.eckardt@house.state.md.us
Del.	Steven	Schuh	Maryland Legislature	6 Bladen St.	Rm. 156	Annapolis	MD	21401	(410) 841-3206	(410) 841-3764	steve.schuh@house.state.md.us
Rep.	Thomas	Pearce	Michigan Legislature	State Capitol	P.O. Box 300014	Lansing	MI	48909	(517) 373-0218	(517) 373-5697	tompearce@house.mi.gov
Rep.	Sidney	Bondurant	Mississippi Legislature	P.O. Box 1045		Grenada	MS	38902	(601) 359-3770	(601) 359-3728	sbondurant@house.ms.gov
Sen.	Eugene "Buck"***	Clarke	Mississippi Legislature	103 Church St.	P.O. Box 373	Hollandale	MS	38748	(601) 359-3172	(601) 359-5957	clarkeiv@bellsouth.net
Sen.	Alan	Nunnelee	Mississippi Legislature	New Capitol	PO Box 1018	Jackson	MS	39215	(601) 359-3250	(601) 359-5110	anunnelee@senate.ms.gov
Rep.	Jessica	Upshaw	Mississippi Legislature	747 Kome Drive		Diamondhead	MS	39525	(601) 359-3360	(601) 359-3728	jupshaw@house.ms.gov
Sen.	Michael	Watson	Mississippi Legislature	5402 Hilltop St.		Pascagoula	MS	39567	(601) 359-3234	(601) 359-5345	mwatson@senate.ms.gov
Sen.	Lee	Yancey	Mississippi Legislature	423 Woodlands Circle		Brandon	MS	39047	(601) 359-3250	(601) 359-5110	lyancey@senate.ms.gov
Rep.	Sue	Allen	Missouri Legislature	702 Willow Spring Hill Court		Chesterfield	MO	63017	(573) 751-9765		Sue.Allen@house.mo.gov
Rep.	Ellen	Brandom	Missouri Legislature	201 West Capitol Avenue	Room 305-B	Jefferson City	MO	65101	(573) 751-5471	(573) 522-2483	ellen.brandom@house.mo.gov
Rep.	Cynthia	Davis	Missouri Legislature	201 West Capitol Ave.		Jefferson City	MO	65101	(573) 751-9768	(573) 526-1423	Cynthia.Davis@house.mo.gov
Rep.	Douglas	Ervin	Missouri Legislature	201 West Capitol Ave.		Jefferson City	MO	65101	(573) 751-2238	(573) 522-9320	doug.ervin@house.mo.gov
Rep.	Theodore	Hoskins	Missouri Legislature	8424 January Ave.		Saint Louis	MO	63134	(573) 751-0169	(573) 526-9867	theodore.hoskins@house.mo.gov
Sen.	Roy	Brown	Montana Legislature	P.O. Box 22273		Billings	MT	59104	(406) 444-4800	(406) 444-4875	BROWN.ROY@BRESNAN.NET
Sen.	John	Esp	Montana Legislature	1301 East 6th Ave.		Helena	MT	59620	(406) 444-4800	(406) 444-4875	johnesp2001@yahoo.com
Rep.	Gary	MacLaren	Montana Legislature	429 Curlew Orchard Rd.		Victor	MT	59875	(406) 444-4800	(406) 444-1865	garymaclaren@yahoo.com
Sen.	Danielle	Conrad	Nebraska Unicameral Legislature	State Capitol, Rm. 1008		Lincoln	NE	68509	(402) 471-2720	(402) 479-0946	dnantkes@leg.ne.gov
Sen.	Tim	Gay	Nebraska Unicameral Legislature	State Capitol, Rm. 1402	P.O. Box 94604	Lincoln	NE	68509	(402) 471-2730	(402) 479-0914	tgay@leg.ne.gov
Sen.	Dave	Pankonin	Nebraska Unicameral Legislature	1445 K Street	Rm. 1529	Lincoln	NE	68509	(402) 471-2613	(402) 479-0902	dpankonin@leg.ne.gov
Assb.	Joe	Hardy	Nevada Legislature	401 South Carson St.		Carson City	NV	89701	(775) 684-8857	(775) 684-8533	jhardy@asm.state.nv.us
Rep.	Jennifer	Coffey	New Hampshire Legislature	107 North Main St.		Concord	NH	3301	(603) 271-2548	(603) 271-3309	jenn.coffey@leg.state.nh.us
Rep.	Susan	Emerson	New Hampshire Legislature	571 NH Route 119		Rindge	NH	3461	(603) 271-2548	(603) 271-3309	susan.emerson@leg.state.nh.us
Rep.	Francine	Wendelboe	New Hampshire Legislature	238 Lower Ox Bow Rd.		New Hampton	NH	3256	(603) 271-3589	(603) 271-3309	mattwenfran@myfairpoint.net
Rep.	Nora	Espinoza	New Mexico Legislature	608 Golondrina		Roswell	NM	88201	(505) 986-4221	(505) 986-4280	noralee@cablone.net
Rep.	Keith	Gardner	New Mexico Legislature	4500 Verde Dr.		Roswell	NM	88201	(505) 986-4757	(505) 986-4610	keith.gardner@nmlegis.gov
Rep.	Jeff	Barnhart	North Carolina General Assembly	P.O. Box 246		Concord	NC	28026	(919) 715-2009	(919) 715-5815	jeffba@ncleg.net
Rep.	Julia	Howard	North Carolina General Assembly	330 South Salisbury St.		Mocksville	NC	27028	(919) 733-5904	(919) 733-2599	Juliah@ncleg.net
Sen.	Dick	Dever	North Dakota Legislature	1416 Eastwood Street		Bismarck	ND	58504	(701) 328-3373	(701) 328-1997	ddever@nd.gov
Rep.	Chet	Pollert	North Dakota Legislature	560 South Sixth St.		Carrington	ND	58421	(701) 328-3373	(701) 328-1997	cpollert@nd.gov
Rep.	Alon	Wieland	North Dakota Legislature	PO Box 412		West Fargo	ND	58078	(701) 328-2916	(701) 328-1997	awieland@nd.gov
Rep.	Dave	Burke	Ohio Legislature	77 South High St.		Columbus	OH	43215	(614) 466-8147	(614) 719-6983	district83@ohr.state.oh.us
Sen.	Karen	Gillmor	Ohio Legislature	Senate Office Building Room 035		Columbus	OH	43215	(614) 466-8049	(614) 466-7662	SD26@senate.state.oh.us
Rep.	Peggy	Lehner	Ohio Legislature	77 South High St.		Columbus	OH	43215	(614) 644-6008	(614) 719-3591	district37@ohr.state.oh.us
Sen.	Cliff	Branan	Oklahoma Legislature	2300 North Lincoln Blvd.	Rm. 417C	Oklahoma City	OK	73105	(405) 521-5543	(405) 521-5507	branan@oksenate.gov
Rep.	Doug	Cox	Oklahoma Legislature	33471 South 595 Rd.	A7	Grove	OK	74344	(405) 557-7415	(405) 962-7642	dougcox@okhouse.gov
Sen.	Brian	Crain	Oklahoma Legislature	2300 North Lincoln Blvd.	Rm. 417B	Oklahoma City	OK	73105	(405) 521-5620	(405) 530-2302	crain@oksenate.gov
Rep.	Ronald	Peters	Oklahoma Legislature	4432 South Atlanta Pl.		Tulsa	OK	74105	(405) 557-7359	(405) 962-7657	ron-peters@att.net; ronpeters@okhouse.gov
Rep.	Pam	Peterson	Oklahoma Legislature	5126 East 106 St.		Tulsa	OK	74137	(405) 557-7341	(405) 962-7657	pampete1@att.net
Rep.	Colby	Schwartz	Oklahoma Legislature	2300 North Lincoln Blvd.	Rm. 329	Oklahoma City	OK	73105	(405) 557-7352	(405) 962-7638	colby.schwartz@okhouse.gov
Rep.	Bill	Kennemer	Oregon Legislature	900 Court St., NE	H-380	Salem	OR	97301	(503) 986-1439	(503) 986-1997	rep.billkennemer@state.or.us
Rep.	Ronald	Maurer	Oregon Legislature	900 Court St., NE	H-372	Salem	OR	97301	(503) 986-1403		rep.ronmaurer@state.or.us
Rep.	James	Thompson	Oregon Legislature	900 Court St. NE	H388	Salem	OR	97301	(503) 986-1423	(503) 986-1167	rep.jimthompson@state.or.us
Sen.	Patrick	Browne	Pennsylvania Legislature	801 Hamilton St.		Allentown	PA	18101	(717) 787-1349	(717) 772-3458	pbrowne@pasen.gov
Rep.	Dick	Hess	Pennsylvania Legislature	451 North Third St.		Harrisburg	PA	17120	(717) 787-7076	(717) 705-1835	dhess@pahousegop.com
Rep.	Katie	TRUE	Pennsylvania Legislature	2962 Kings Ln.		Lancaster	PA	17601	(717) 705-7161	(717) 705-1946	kttrue@pahousegop.com
Sen.	Leo	Blais	Rhode Island Legislature	82 Smith St.	Rm. 120	Providence	RI	2903	(401) 276-2531	(401) 222-2967	lblais@apothecarecs.com
Sen.	Thomas	Alexander	South Carolina Legislature	150 Cleveland Dr.		Walhalla	SC	29691	(803) 212-6220	(843) 825-3948	SGENCOMM@scsenate.gov; thomasalexander@scsenate.gov
Rep.	Kristopher	Crawford	South Carolina Legislature	728 North Grove Park Dr.		Florence	SC	29501	(803) 734-2992	(803) 734-2925	CrawfordK@schouse.org
Rep.	Rex	Rice	South Carolina Legislature	P.O. Box 1706		Easley	SC	29641	(803) 734-3035	(803) 734-2925	RFR@schouse.org
Sen.	Kathy	Miles	South Dakota Legislature	501 East Capitol Ave.		Pierre	SD	57501	(605) 773-3251	(605) 773-6806	kmiles610@yahoo.com
Rep.	Tim	Rave	South Dakota Legislature	501 East Capitol Ave.		Pierre	SD	57501	(605) 773-3251	(605) 773-6806	trave@alliancecom.net
Rep.	Fred	Romkema	South Dakota Legislature	501 East Capitol Ave.		Pierre	SD	57501	(605) 773-3251	(605) 773-6806	rep.romkema@state.sd.us
Rep.	Manford	Steele	South Dakota Legislature	3220 West Zephyr Place #1		Sioux Falls	SD	57108	(605) 335-7036	(605) 773-6806	rep.steele@state.sd.us
Rep.	Joseph	Armstrong	Tennessee Legislature	25 Legislative Plaza		Nashville	TN	37243	(615) 741-0768	(615) 253-0316	rep.joe.armstrong@capitol.tn.gov
Sen.	Diane	Black	Tennessee Legislature	5 Legislative Plaza		Nashville	TN	37243	(615) 741-1999	(615) 253-0207	sen.diane.black@capitol.tn.gov
Rep.	Jimmy	Eldridge	Tennessee Legislature	War Memorial Bldg.	Rm. 208	Nashville	TN	37243	(615) 741-7475	(615) 253-0373	rep.jimmy.eldridge@capitol.tn.gov
Rep.	Debra	Maggart	Tennessee Legislature	7th Ave. North		Nashville	TN	37243	(619) 741-3893	(615) 253-0350	rep.debra.young.maggart@capitol.tn.gov

HHS Task Force Roster
October 26, 2010

Rep.	David	Shepard	Tennessee Legislature	Legislative Plaza	Ste. 34	Nashville	TN	37243	(615) 741-3513	(615) 253-0244	rep.david.shepard@capitol.tn.gov
Rep.	Drew	Darby	Texas Legislature	1100 Congress Avenue		Austin	TX	78701	(512) 463-0331	(512) 499-3978	district72.darby@house.state.tx.us
Rep.	Susan	King	Texas Legislature	1100 Congress Avenue		Austin	TX	78701	(512) 463-0718	(512) 463-0994	susan.king@house.state.tx.us
Rep.	Lois	Kolkhorst	Texas Legislature	P.O. Box 2910	Rm. E2.318	Austin	TX	78768	(512) 463-0600	(512) 463-5240	lois.kolkhorst@house.state.tx.us
Rep.	Mark	Shelton	Texas Legislature	PO Box 2910		Austin	TX	78768	(512) 463-1000	(512) 463-5896	mark.shelton@house.slate.tx.us
Sen.	Carlos	Uresti	Texas Legislature	1100 Congress Ave.	Rm. E1.810	Austin	TX	78701	(512) 463-0119	(512) 463-1017	carlos.uresti@senate.state.tx.us
Rep.	John	Zerwas	Texas Legislature	1100 Congress Ave.	Rm. E2.316	Austin	TX	78701	(512) 463-0657	(512) 236-0713	john.zerwas@house.state.tx.us
Rep.	Bradley	Daw	Utah Legislature	842 East 280 South		Orem	UT	84097	(801) 538-1029	(801) 326-1544	bdaw@utah.gov
Rep.	Francis	Gibson	Utah Legislature	P.O. Box 145030	Suite 350	Salt Lake City	UT	84114	(801) 538-1029	(801) 326-1544	fgibson@utah.gov
Rep.	Eric	Hutchings	Utah Legislature	5438 West Stoney Ridge Circle		Kearns	UT	84118	(801) 538-1029	(801) 326-1544	ehutchings@utah.gov
Rep.	Mary	Morrissey	Vermont Legislature	228 Dewey St.		Bennington	VT	5201	(802) 828-2247	(802) 828-2424	mmorrissey@leg.state.vt.us
Sen.	Kevin	Mullin	Vermont Legislature	118 Ox Yoke Dr.		Rutland	VT	5701	(802) 828-2228	(802) 828-2424	kjmbjm@aol.com
Rep.	Patricia	O'Donnell	Vermont Legislature	51 Southern Heights Dr.		Vernon	VT	5354	(802) 828-2247	(802) 828-2424	podonnell@leg.state.vt.us
Del.	S. Chris	Jones	Virginia General Assembly	P.O. Box 5059		Suffolk	VA	23435	(804) 698-1076	(804) 698-6776	DelCJones@house.virginia.gov
Sen.	Stephen	Martin	Virginia General Assembly	P.O. Box 396		Richmond	VA	23218	(804) 698-7511	(804) 698-7651	district11@senate.virginia.gov
Rep.	Barbara	Bailey	Washington Legislature	406 John L. O'Brien Building	P.O. Box 40600	Olympia	WA	98504	(360) 786-7914	(360) 786-1066	bailey.barbara@leg.wa.gov
Rep.	Doug	Ericksen	Washington Legislature	425B Legislative Building	PO Box 40600	Olympia	WA	98504	(360) 786-7980	(360) 786-1066	ericksen.doug@leg.wa.gov
Rep.	Jaime	Herrera	Washington Legislature	416 John L. O'Brien Building	PO Box 40600	Olympia	WA	98504	(360) 786-7850	(360) 786-7317	herrera.jaime@leg.wa.gov
Sen.	Linda	Parlette	Washington Legislature	625 Okanogan Avenue	Suite 301	Wenatchee	WA	98801	(360) 786-7622	(360) 786-1266	parlette.linda@leg.wa.gov
Rep.	Judy	Warnick	Washington Legislature	403 John L. O'Brien Building	PO Box 40600	Olympia	WA	98504	(360) 786-7932	(360) 786-7317	warnick.j@leg.wa.gov
Del.	Ronald	Walters	West Virginia Legislature	P.O. Box 3665		Charleston	WV	25336	(304) 340-3194	(304) 342-8342	rwalters@sfainc.com; ronwalte@mail.wvnet.edu
Rep.	Scott	Newcomer	Wisconsin Legislature	P.O. Box 8953		Madison	WI	53708	(608) 266-3007	(608) 282-3633	Rep.Newcomer@legis.wisconsin.gov
Rep.	Kitty	Rhoades	Wisconsin Legislature	P.O. Box 8953	Rm. 115 West	Madison	WI	53708	715-338-2725	(608) 282-3630	kittyrhoades@comcast.net
Rep.	Leah	Vukmir	Wisconsin Legislature	P.O. Box 8953		Madison	WI	53708	(608) 266-9180	(608) 282-3614	rep.vukmir@legis.state.wi.us
Rep.	Kathy	Davison	Wyoming Legislature	Box 602		Kemmerer	WY	83101	(307) 777-7852	(307) 777-5466	kdavison@wyoming.com
Sen.	John	Hastert	Wyoming Legislature	Capitol Bldg.	Rm. 213	Cheyenne	WY	82001	(307) 777-7881		jhastert2@wyoming.com
Rep.	Lori	Millin	Wyoming Legislature	308 Stetson Dr.		Cheyenne	WY	82009	(307) 777-7852	(307) 777-5466	lorimillin@bresnan.net
Ms.	Christie	Herrera	ALEC	1101 Vermont Avenue, N.W.	11th Floor	Washington	DC	20005	202-742-8505		christie@alec.org
Ms.	Monica	Mastracco	ALEC	1101 Vermont Ave.	11th Floor	Washington	DC	20005	(202) 466-3800	(202) 466-3801	mmastracco@alec.org
Mr.	Jonathan	Moody	ALEC	1101 Vermont Ave.	11th Floor	Washington	DC	20005	(202) 742-8516	(202) 466-3801	jmoody@alec.org
Mr.	Ronald	Scheberle	ALEC	2601 Brookside Drive		Irving	TX	75063	(214) 557-6769	(972) 869-2258	ronscheberle@sbcglobal.net



**Health and Human Services Task Force Meeting
ALEC's 37th Annual Meeting
Saturday, August 7, 2010
Meeting Minutes**

Legislative Members in Attendance (15)

Rep. Jeff Barnhart, North Carolina
Sen. Tom Buford, Kentucky
Rep. Charlice Byrd, Georgia
Sen. Eugene "Buck" Clarke, Mississippi
Rep. Doug Ericksen, Washington
Rep. Nora Espinoza, New Mexico
Rep. Dave Frizzell, Indiana
Sen. Judson Hill, Georgia
Rep. Bill Kennemer, Oregon
Rep. Linda Miller, Iowa
Rep. Jimmy Patronis, Florida
Rep. Pam Peterson, Oklahoma
Rep. Scott Schwab, Kansas
Sen. Renee Unterman, Georgia
Rep. Linda Upmeyer, Iowa

Legislative Alternates in Attendance (1)

Rep. Sue Allen, Missouri

Private Sector Members in Attendance (33)

1-800 Contacts: Jay Magure
Allergan: Bob Broadus
Alliance of Health Care Sharing Ministries: Joe Guarino, James Lansberry
America's Health Insurance Plans: Dianne Bricker
American Optometric Association: Jerald Combs
AMERIGROUP: Pamela Perry
Anthem Blue Cross and Blue Shield: Ann Kuhns, John Willey
AstraZeneca/MedImmune: Libby Brunsvold, Kevin Johnson, Theresa Jolivet, Meg Propes
Association of American Physicians & Surgeons: Jane Orient
Bayer: Mike Birdsong
Bryan Cave: Frank Plescia
CVS Caremark: Mike Sargent
Daiichi Sankyo: Holli Hill, Julie Vojtech
Express Scripts: Michael Harrold
GlaxoSmithKline: Jody Fischer, Jack Graham, Thelma Harris, Gaspar Laca, Robert Luria, Gary Salamido, Kurt Stembridge
Guarantee Trust Life Insurance: Marianne Eterno
John Locke Foundation: Joe Coletti

Mackinac Center for Public Policy: Jack McHugh
Medco: Cindy Laubacher
Medtronic: Rob Clark
Merck: Marlene Sanders, Jim Vance
Pacific Research Institute: John Graham
Pfizer: Darrick LeBeouf, Amber Pearce
Pharmaceutical Care Management Association: Jessica Mazer
PhRMA: Kristin Parde
Purdue Pharma: Linda Barefoot
Reynolds American: Greg Osmon
Sanofi-Aventis: Rebecca Waldrop
Takeda: John Schlatter
Teva: Jake Hansen, Jerry Moore
Texas Public Policy Foundation: Arlene Wohlgemuth
The Doctors Company: Sal Bianco
United: Jeff Drozda
Wal-Mart: Laurie Smalling

Invited Guests in Attendance (0)

Others in Attendance (16)

Rep. Nancy Barto, Arizona
Rep. Ellen Brandom, Missouri
Keli Coleman, Eisai, Inc.
Rep. Kristin Conzetz, South Dakota
Sen. Don East, North Carolina
April Grant, Forest Laboratories
Chris Oswald, Reed Elsevier
Rep. Bob Ramsey, Tennessee
Rep. Barbara Sears, Ohio
Jonathan Small, Oklahoma Insurance Department
Rep. Fred Steen, North Carolina
Rep. Amy Stephens, Colorado
Rep. Eric Turner, Indiana
Rep. Addia Wuchner, Kentucky
J.P. Wieske, Council for Affordable Health Insurance
Erik Woehrmann, Walgreens

Staff in Attendance (4)

Christie Herrera, ALEC HHS Task Force Director
Soren Kreider, ALEC HHS Intern
Monica Mastracco, ALEC HHS Legislative Assistant
Jonathan Moody, ALEC Director of Donor Relations

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Meeting began at 9:30 a.m.

The meeting began with an introduction of the HHS Task Force Executive Committee; roundtable introductions of HHS Task Force meeting attendees; and approval of the minutes from ALEC's 2010 Spring Task Force Summit.

HHS Task Force Director Christie Herrera updated task force members on ALEC's Health Reform Initiative and recognized ALEC HHS Task Force legislators who introduced ALEC HHS models in 2010. Christie also introduced Monica Mastracco, the new HHS Legislative Assistant, welcoming her to the task force.

The HHS Task Force saw several presentations from ALEC members: Joe Guarino from the Alliance of Health Care Sharing Ministries discussed Virginia's success with ALEC's *Freedom of Choice in Health Care Act*; Sal Bianco of The Doctors Company presented "ALEC's *Taking the Best* and the Federal Health Reform Debate;" and John Graham of Pacific Research Institute discussed his new book on "Medical Tort: Ranking in the 50 States."

HHS Task Force members considered the *Resolution on Point of Service Reimbursement*, sponsored by Libby Brunsvold of AstraZeneca/MedImmune. After discussion, the *Resolution on Point of Service Reimbursement* was tabled.

HHS Task Force members considered the *Patients First Medicaid Reform Act*, sponsored by John Locke Foundation's Joe Coletti. After discussion, John Graham of the Pacific Research Institute called the question, and Arlene Wohlgemuth from the Texas Public Policy Foundation seconded. The public sector vote was 11 Yes, 3 No; the private sector vote was 13 Yes, 5 No. The *Patients First Medicaid Reform Act* was approved.

HHS Task Force Members considered the *Medication Therapy Management Services Act*, sponsored by North Carolina Representative Jeff Barnhart and Gaspar Laca of GlaxoSmithKline. After discussion, North Carolina Representative Jeff Barnhart called the question, which was seconded. The public sector vote was 6 Yes, 7 No, and a private sector vote was not taken. The *Medication Therapy Management Services Act* failed.

Finally, HHS Task Force Members considered the *Resolution on Improving Quality and Lowering Costs for State Through Medicaid Managed Care*, sponsored by Georgia Senator Renee Unterman. After discussion, the question was called. The public sector vote was 8 Yes, 2 No; the private sector vote was 10 Yes, 1 No. The *Resolution on Improving Quality and Lowering Costs for State Through Medicaid Managed Care* was approved.

The meeting adjourned at 12:30 p.m.

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Mission Statement

The American Legislative Exchange Council's mission is...

To advance the Jeffersonian Principles of free markets, limited government, federalism, and individual liberty through a nonpartisan public-private partnership among America's state legislators, concerned members of the private sector, the federal government, and the general public.

To promote these principles by developing policies that ensure the powers of government are derived from, and assigned to, first the People, then the States, and finally the Federal Government.

To enlist state legislators from all parties and members of the private sector who share ALEC's mission.

To conduct a policy making program that unites members of the public and private sector in a dynamic partnership to support research, policy development, and dissemination activities.

To prepare the next generation of political leadership through educational programs that promote the principles of Jeffersonian democracy, which are necessary for a free society.

SCHOLARSHIP POLICY BY MEETING

ALEC Spring Task Force Summit:

1. ***Spring Task Force Summit Reimbursement Form:*** ALEC Task Force Members are reimbursed by ALEC up to a predetermined set limit for travel expenses. Receipts must be forwarded to the ALEC Policy Coordinator and approved by the Director of Policy.
2. ALEC Task Force Members' room & tax fees for a two-night stay are covered by ALEC.
3. *Official Alternate Task Force Members* (chosen by the State Chair and whose names are given to ALEC more than 35 days prior to the meeting to serve in place of a Task Force Member who cannot attend) are reimbursed in the same manner as Task Force Members.
4. ***State Scholarship Reimbursement Form:*** Any fees above the set limit, or expenses other than travel and room expenses can be submitted by Task Force Members for payment from their state scholarship account upon the approval of the State Chair. Receipts must be submitted to the State Chair, who will submit the signed form to the Director of Membership.
5. *Non-Task Force Members* can be reimbursed out of the state scholarship fund upon State Chair approval. Receipts must be submitted to the State Chair, who will submit the appropriate signed form to the Director of Membership.

ALEC Annual Meeting:

State Scholarship Reimbursement Form: State scholarship funds are available for reimbursement by approval of your ALEC State Chair. Expenses are reimbursed after the conference, and may cover the cost of travel, room & tax, and registration. Receipts are to be submitted to the State Chair, who will then submit the signed form to the Director of Membership.

ALEC States & Nation Policy Summit:

1. ***States & Nation Policy Summit Reimbursement Form:*** ALEC offers two scholarships per state to cover the cost of travel, room & tax, and registration not to exceed \$1,000.00 per person for a total of \$2,000.00 per state. ALEC scholarship recipients must be named by the ALEC State Chair. Expenses are submitted to the State Chair and reimbursed after the conference. The State Chair submits the signed form to the Director of Membership.
2. ***State Scholarship Reimbursement Form:*** Any other fees or payments must come out of the state scholarship account, with the approval of the State Chair. Receipts must be submitted to the State Chair, who submits the signed form to the Director of Membership.

ALEC Academies:

Academy Reimbursement Form: Attendees of ALEC Academies are reimbursed by the Task Force Committee hosting the Academy. Attendees will receive a form at the Academy, and will be reimbursed up to \$500.00 for travel, and room & tax fees for a two-night stay by ALEC. Receipts must be forwarded to the appropriate Task Force Director and approved by the Director of Policy.



American Legislative Exchange Council TASK FORCE OPERATING PROCEDURES

I. MISSION OF TASK FORCES

Assume the primary responsibility for identifying critical issues, developing ALEC policy, and sponsoring educational activities which advance the Jeffersonian principles of free markets, limited government, federalism, and individual liberty. The mission will be accomplished through a non-partisan, public and private partnership between ALEC's legislative and private sector members in the specific subject areas assigned to the Task Force by the Board of Directors.

II. TASK FORCE RESPONSIBILITIES

- A. Task Forces have the primary responsibility for identifying critical issues and developing ALEC's official policy statements and model legislation appropriate to the specific subject areas of the Task Force.
- B. Task Forces serve as forums for an exchange of ideas and sharing of experiences between ALEC's state legislator and private sector members.
- C. Task Forces are responsible for developing and sponsoring the following educational activities appropriate to the specific subject area of the Task Force:
 - publications that express policy positions, including, but not limited to State Factors and Action Alerts;
 - educational communication and correspondence campaigns;
 - issue specific briefings, press conferences and press campaigns;
 - witness testimony and the activities of policy response teams;
 - workshops at ALEC's conferences; and
 - specific focus events.
- D. The Executive Director is to ~~Task Forces are responsible for developing an annual budgets,~~ which shall include expenses associated with Task Force meetings and educational activities. A funding mechanism to finance all meetings and educational activities proposed by Task Forces must be available before they can be undertaken.

III. GENERAL PROCEDURES

- A. Requests from ALEC members for policy statements, model legislation and educational activities shall be directed by the Executive Director to the appropriate Task Force, or the Board of Directors if the issue does not fall within the jurisdiction of any Task Force. The appropriate Public and Private Sector Task Force Co-Chairs determine the agenda for each Task Force meeting, and the meetings will be called and conducted in accordance with these Operating Procedures.

The Director of Policy with the consent of the Executive Director assigns a model bill or resolution to the most appropriate Task Force based on Task Force content and prior jurisdictional history 35 days before a Task Force Meeting. All Task Force Co-Chairs will be provided an email or fax summary of all model bills and resolutions 35 days before the Task Force meeting

If both the Co-Chairs of a Task Force are in agreement that they should have jurisdiction on model legislation or a resolution, the legislation or resolution will be considered by the Task Force. If the other Task Force Co-Chairs believe they should have jurisdiction or if the author of the model bill or resolution does not agree on the jurisdictional assignment of the bill, they will have 10 days after the 35-day mailer deadline to submit in writing or by electronic appeal to the Director of Policy their intent to challenge the jurisdiction assignment. The Director of Policy will notify the Executive Director who will in turn notify the National Chair and the Private Enterprise Board Chair. The National Chair and the Private Enterprise Board Chair will in turn refer the matter in question to the Board of Directors Task Force Board Committee. The Director of Policy will establish a conference call for the Task Force Board Committee co- chairs, the author, the affected Task Force Co-Chairs and the Director of Policy at a time convenient for all participants.

The Task Force Board Committee Co-Chairs shall listen to the jurisdictional dispute by phone or in person within 10 days of the request. If both Task Force Board Committee Co-Chairs are in agreement that the Director of Policy made an incorrect jurisdictional referral, only then will the model bill or resolution be reassigned to a committee as they specify once agreed upon by the National Chair and the Private Enterprise Board Chair. The bill or model resolution is still eligible to be heard in whatever Task Force it is deemed to be assigned to as if submitted to the correct Task Force for the 35-day mailer. The National Chair and the Private Enterprise Board Chair decision is final on this model bill or resolution.

Joint referral of model legislation and/or resolutions are allowed if all the affected Task Force Co-Chairs agree. All model legislation and resolutions that have been referred to, more than one Task Force must pass the identical language in both Task Forces within two consecutive Task Force meetings. It is at the Task Force

Co-Chairs discretion how they will handle the hearings of the model legislation or resolution. Both sets of co-chairs have the ability to call a working group, subcommittee, or simply meet consecutively or concurrently if necessary.

If the Task Force co-chairs both agree to waive jurisdiction, they may do so as long as another Task Force still has jurisdiction.

The National Chair and the Private Sector Board Chair will rely upon the Task Force Board Committee Co-Chairs for advice and recommendations on model legislation or resolutions when no jurisdiction in any of the existing Task Forces in operation can be found. The Task Force Board Committee Co-Chairs will work with the Executive Director and the Director of Policy to identify public and private sector Task Force members (not alternates) from the existing Task Forces should their expertise be of assistance to the Task Force Board Committee in reaching a determination and recommendation for approval by the National Chair and the Private Enterprise Board Chair.

- B. The National Chair and the Private Sector Board Chair will rely upon the Task Force Board Committee Co-Chairs for advice and recommendations on model legislation or resolutions when no jurisdiction in any of the existing Task Forces in operation can be found. The Task Force Board Committee Co-Chairs will work with the Executive Director and the Director of Policy to identify public and private sector Task Force members (not alternates) from the existing Task Forces should their expertise be of assistance to the Task Force Board Committee in reaching a determination and recommendation for approval by the National Chair and the Private Enterprise Board Chair.
- C. The Board of Directors shall have ultimate authority over Task Force procedures and actions including the authority to create, to merge or to disband Task Forces and to review Task Force actions in accordance with these Operating Procedures. Nothing in these Operating Procedures prohibits the Board of Directors from developing ALEC policy; however, such a practice should be utilized only in exceptional circumstances. Before the policy is adopted by the Board of Directors, it should be sent to the Public and Private Sector Task Force Co-Chairs under whose jurisdiction the matter falls for review and comment back to the Board of Directors.
- D. The operating cycle of a Task Force is two years. A new operating cycle begins on January 1 of each odd numbered year and ends on December 31 of the following even numbered year. Task Force activities shall be planned and budgeted on an annual basis within each two-year operating cycle.
- E. ~~At the ALEC Annual Meeting, each Task Force will be responsible for determining an operating budget for the succeeding calendar year. The Executive Director will notify the Task Force Co-Chairs, at the ALEC Annual Meeting, what inflation factor will be used by the Task Force to determine the operating~~

~~and programming budgets. Task Force membership and budget information will be reported to the Executive Director by the Public and Private Sector Task Force Co-Chairs. The Executive Director will present this information to the Board of Directors at its regular fall meeting.~~

- F. If a Task Force is unable to develop an operating budget, the Board of Directors will determine whether to continue the operations of the Task Force. This determination will be made according to: (1) the level of membership on the Task Force, and (2) the need for continued services developed by the Task Force for ALEC.
- G. The Board of Directors shall have the authority to allocate limited general support funds to finance the annual operating budget of Task Forces that meet the requirements prescribed in Section III (E). The Executive Director shall determine, and report to the Board of Directors, the amount of general support funds available to underwrite such Task Forces.

IV. MEMBERSHIP AND MEMBER RESPONSIBILITIES

- A. The membership of a Task Force consists of legislators who are members in good standing of ALEC and are duly appointed to the Task Force, in accordance with Section VI (A) and private sector organizations that are full members of ALEC, contribute to the assessment for the Task Force operating budget, and are duly appointed to the Task Force, in accordance with Section VI (B). Private sector organizations that were full members of ALEC and contributed the assessment for the Task Force's operating budget in the previous year, can be appointed to the Task Force for the current year, conditional upon renewal of full ALEC membership and receipt of the current year's assessment for the Task Force operating budget prior to March 31st, unless an alternative date has been approved by the Executive Director.
- B. Each Task Force shall have least two Co-Chairs; a Public Sector Task Force Co-Chair and a Private Sector Task Force Co-Chair. The Public Sector Task Force Co-Chair must be a member of the Task Force and appointed in accordance with Section VI (A). The Private Sector Co-Chair must represent a private sector member of the Task Force and be appointed in accordance with Section VI(B). The Co-Chairs shall be responsible for:
 - (1) calling the Task Force and the Executive Committee meetings to order, setting the agenda and co-chairing such meetings;
 - (2) appointing and removing legislators and private sector members to and from the Task Force Executive Committee and subcommittees;
 - (3) creating subcommittees, and determining each subcommittee's mission, membership limit, voting rules, deadlines, and term of service; and

- (4) selecting Task Force members to provide support for and against Task Force policies during formal Board reviews.
- C. Each Task Force shall have an Executive Committee appointed by the Public and Private Sector Task Force Co-Chairs that is appropriate in number to carry out the work product and strategic plan of ALEC and the Task Force. The Executive Committee shall consist of the Public Sector Task Force Co-chair, the Private Sector Task Force Co-Chair, the subcommittee co-chairs, and the remainder will be an equal number of legislative and private sector Task Force members. The Executive Committee will be responsible for determining the operating budget and proposing plans, programs and budgets for the succeeding year in accordance with (Section V (B); determining if a proposed educational activity conforms to a previously approved model bill, resolution or policy statement in accordance with (Section IX (F); and determining if an emergency situation exists that justifies waiving or reducing appropriate time limits in accordance with (Section VIII (H)).
- D. Each Task Force may have any number of subcommittees, consisting of Task Force members and advisors to focus on specific areas and issues and make policy recommendations to the Task Force. The Task Force Co-chairs, shall create subcommittees and determine each subcommittee's mission, membership limit, voting rules, deadlines, and term of service. Any model bill, resolution or policy statement approved by a subcommittee must be approved by the Task Force before it can be considered official ALEC policy.
- E. Each Task Force may have advisors, appointed in accordance with Section VI (G). Advisors shall assist the members and staff of the Task Force. They shall be identified as advisors on official Task Force rosters, included in all official Task Force mailings and invited to all Task Force meetings. Advisors may also have their expenses paid at Task Force meetings covered by the Task Force operating budget with the approval of the Task Force Co-Chairs. An advisor cannot be designated as the primary contact of a private sector Task Force member, cannot be designated to represent a private sector Task Force member at a Task Force, Executive Committee, or subcommittee meeting, and cannot offer or vote on any motion at a Task Force, Executive Committee, or subcommittee meeting.

V. Task Force Budgets

- A. Each Task Force shall develop and operate a yearly budget to fund meetings.
- B. The operating budget shall be used primarily to cover expenses for Task Force meetings, unless specific funds within the budget are authorized for other use by the Task Force. The operating budget shall be assessed equally among the private sector members of the Task Force. The Executive Director, in consultation with the Task Force Co-Chairs shall determine which costs associated with each meeting will be reimbursed from the operating budget. Any funds remaining in a

Task Force's operating budget at the end of a year are transferred to ALEC's general membership account.

- C. The operating budget shall not be used to cover Task Force meeting expenses associated with alternate task force members' participation, unless they are appointed by their State Chair to attend the Spring Task Force Summit with the purpose to serve in place of a Task Force Member who is unable to attend. Task Force meeting expenses of alternate task force members shall be covered by their state's scholarship account.
- D. The programming budget shall be used to cover costs associated with educational activities. Contributions to the programming budget are separate, and in addition to operating budget contributions and annual general support/membership contributions to ALEC. The Executive Director shall determine the contribution required for each educational activity.

VI. PROCESS FOR SELECTING TASK FORCE MEMBERS, CHAIRS, COMMITTEES AND ADVISORS

- A. Prior to February 1 of each odd-numbered year, the current and immediate past National chairman will jointly select and appoint in writing three legislative members and three alternates to the Task Force who will serve for the current operating cycle, after receiving nominations from ALEC's Public and Private State Chairs, the Executive Director and the ALEC Public and Private Sector members of the Board. At any time during the year, the National Chairman may appoint in writing new legislator members to each Task Force, except that no more than three legislators from each state may serve as members of any Task Force, no legislator may serve on more than one Task Force and the appointment cannot be made earlier than thirty days after the new member has been nominated. In an effort to ensure the nonpartisan nature of each Task Force, it is recommended that no more than two legislators of any one political party from the same state be appointed to serve as members of any Task Force. A preference will be given to those ALEC legislator members who serve on or chair the respective Committee in their state legislature. A preference will be given to legislators who sponsor ALEC Task Force model legislation in the state legislature.
- B. Prior to January 10 of each odd-numbered year, the current and immediate past National Chairman will jointly select and appoint in writing the Task Force Chair who will serve for the current operating cycle, after receiving nominations from the Task Force. Nominations will be requested by the outgoing Task Force Chair and may be placed in rank order prior to transmittal to the Executive Director no later than December 1 of each even-numbered year. No more than five names may be submitted in nomination by the outgoing Task Force chair. The current and immediate past National Chairmen will jointly make the final selection, but

should give strong weight to the recommendations of the outgoing Task Force Chair. In an effort to empower as many ALEC leaders as possible, State Chairs and members of the Board of Directors will not be selected as Task Force Chairs. Task Force Chairs shall serve for one operating cycle term. Where special circumstances warrant, the current and immediate past National Chairmen may reappoint a Task Force Chair to a second operating cycle term.

- C. Prior to February 1 of each odd numbered year, the Public and Private Sector Task Force Co-Chairs will select and appoint in writing the legislative and private sector members of the Task Force Executive Committee, who will serve for the current operating cycle. The Public and Private Sector Task Force Co-Chairs will select and appoint in writing the legislative and private sector members and advisors to any subcommittee.
- D. Prior to February 1 of each year, the Private Enterprise Board Chair and the immediate past Private Enterprise Board Chair will select and appoint in writing the private sector members to the Task Force who will serve for the current year. The appointment letter shall be mailed to the individual designated as the primary contact for the private sector entity. At any time during the year, the Chair of the Private Enterprise Board may appoint in writing new private sector members to each Task Force, but no earlier than thirty days after the new member has qualified for full membership in ALEC and contributed the assessment for the appropriate Task Force's operating budget.
- E. Prior to January 10 of each odd-numbered year, the Chair of the Private Enterprise Board and the immediate past Private Enterprise Board Chair will select and appoint in writing the Task Force Private Sector Co-Chair who will serve for the current operating cycle, after receiving nominations from the Task Force. Nominations will be requested by the outgoing Task Force Private Sector Chair and may be placed in rank order prior to transmittal to the Chair of the Private Enterprise Board. The Chair and the immediate past Chair of the Private Enterprise Board will make the final selection, but should give strong weight to the recommendations of the outgoing Private Sector Task Force Co-Chair. In an effort to empower as many ALEC private sector members as possible, Private Enterprise State Chairs and members of the Private Enterprise Board will not be selected as Private Sector Task Force Co-Chairs. Private Sector Task Force Co-Chairs shall serve for one operating cycle term. Where special circumstances warrant, the current and immediate past Chair of the Private Enterprise Board may reappoint a Task Force Private Sector Chair to a second operating cycle term.
- F. Prior to February 1 of each odd-numbered year, the Task Force Private Sector Co-Chair will select and appoint in writing the private sector members of the Task Force Executive Committee, who will serve for the current operating cycle. The Task Force Private Sector Co-Chair shall select and appoint in writing the private sector members of any subcommittees.

- G. The Public and Private Sector Task Force Co-Chairs, may jointly appoint subject matter experts to serve as advisors to the Task Force. The National Chair and the Private Enterprise Board Chair may also jointly recommend to the Task Force Co-Chairs subject matter experts to serve as advisors to the Task Force.

VII. REMOVAL AND VACANCIES

- A. The National Chair may remove any Public Sector Task Force Co-Chair from his position and any legislative member from a Task Force with or without cause. Such action will not be taken except upon thirty days written notice to such Chair or member whose removal is proposed. For purposes of this subsection, cause may include failure to attend two consecutive Task Force meetings.
- B. The Public Sector Task Force Co-Chair may remove any legislative member of an Executive Committee or subcommittee from his position with or without cause. Such action shall not be taken except upon thirty days written notice to such member whose removal is proposed. For purposes of this subsection, cause may include failure to attend two consecutive meetings.
- C. The Chairman of the Private Enterprise Board may remove any Private Sector Task Force Co-Chair from his position and any private sector member from a Task Force with cause. Such action shall not be taken except upon thirty days written notice to such Chair or member whose removal is proposed. For purposes of this subsection, cause may include but is not limited to the non-payment of ALEC General Membership dues and the Task Force dues. .
- D. The Private Sector Task Force Co-Chair may remove any private sector member of an Executive Committee or subcommittee from his position with cause. Such action shall not be taken except upon thirty days written notice to such member whose removal is proposed. For purposes of this subsection, cause may include but is not limited to the non-payment of ALEC General Membership dues and the Task Force dues.
- E. The Public and Private Sector Task Force Co-Chairs may remove an advisor from his position with or without cause. Such action shall not be taken except upon thirty days written notice to such advisor whose removal is proposed.
- F. Any member or advisor may resign from his position as Public Sector Task Force Co-Chair, Private Sector Task Force Co-Chair, public or private sector Task Force member, Task Force advisor, Executive Committee member or subcommittee member at any time by writing a letter to that effect to the Public Sector and Private Sector Task Force Co-Chairs. The letter should specify the effective date of the resignation, and if none is specified, the effective date shall be the date on which the letter is received by the Public and Private Task Force Co-Chairs.

- G. All vacancies for Public Sector Task Force Co-Chair, Private Sector Task Force Co-Chair, Executive Committee member and subcommittee member shall be filled in the same manner in which selections are made under Section VI. All vacancies to these positions must be filled within thirty days of the effective date of the vacancy.

VIII. MEETINGS

- A. Task Force meetings shall only be called by the joint action of the Public and Private Sector Task Force Co-Chairs. Task Force meetings cannot be held any earlier than thirty-five days after being called, unless an emergency situation has been declared pursuant to Section VIII(H), in which case Task Force meetings cannot be held any earlier than ten days after being called. It is recommended that, at least once a year, the Task Forces convene in a common location for a joint Task Force Summit. Executive Committee meetings shall only be called by the joint action of the Public and Private Sector Task Force Co-Chairs and cannot be held any earlier than three days after being called, unless the Executive Committee waives this requirement by unanimous consent.
- B. At least forty-five days prior to a task force meeting any model bill, resolution or policy must be submitted to ALEC staff that will be voted on at the meeting. At least thirty-five days prior to a Task Force meeting, ALEC staff shall distribute copies of any model bill, resolution or policy statement that will be voted on at that meeting. This requirement does not prohibit modification or amendment of a model bill, resolution or policy statement at the meeting. This requirement may be waived if an emergency situation has been declared pursuant to Section VIII(H).
- C. All Task Force meetings are open to registered attendees and invited guests of ALEC meetings and conferences. Only regular Task Force Members may introduce any resolution, policy statement or model bill. Only Task Force members will be allowed to participate in the Task Force meeting discussions and be seated at the table during Task Force meetings, unless otherwise permitted by the Public and Private Sector Task Force Co-Chairs.
- D. ALEC private sector member organizations may only be represented at Task Force and Executive Committee meetings by the individual addressed in the appointment letter sent pursuant to Section VI(D) or a designee of the private sector member. If someone other than the individual addressed in the appointment letter is designated to represent the private sector member, the designation must be submitted in writing to the Public and Private Sector Task Force Co-Chairs before the meeting, and the individual cannot represent any other private sector member at the meeting.

- E. All Task Force and Executive Committee meetings shall be conducted under the guidelines of Roberts Rules of Order, except as otherwise provided in these Operating Procedures. A copy of the Task Force Operating Procedures shall be included in the briefing packages sent to the Task Force members prior to each meeting.
- F. A majority vote of legislative members present and voting and a majority vote of the private sector members present and voting, polled separately, are required to approve any motion offered at a Task Force or Executive Committee meeting. A vote on a motion to reconsider would be only with the sector that made the motion. Members have the right, in a voice vote, to abstain and to vote present by roll-call vote. In all votes a member can change their vote up until the time that the result of the vote is announced. Only duly appointed members or their designee as stated in Section VIII (D) that are present at the meeting may vote on each motion. No proxy, absentee or advance voting is allowed.
- G. The Public Sector Task Force Co-Chair and the Private Sector Task Force Co-Chair, with the concurrence of a majority of the Executive Committee, polled in accordance with Section VIII (F), may schedule a Task Force vote by mail or ~~fax~~ any form of electronic communication on any action pertaining to policy statements, model legislation or educational activity. The deadline for the receipt of votes can be no earlier than thirty-five days after notification of the vote is mailed or ~~faxed~~ notified by any form of electronic communication, unless an emergency situation is declared pursuant to Section VIII (H), in which case the deadline can be no earlier than ten days after notification is mailed or ~~faxed~~ notified by any form of electronic communication. Such votes are exempt from all rules in Section VIII, except: (1) the requirement that copies of model legislation and policy statements be mailed or ~~faxed~~ notified by any form of electronic communication with the notification of the vote and (2) the requirement that a majority of legislative members voting and a majority of the private sector members voting, polled separately, is required to approve any action by a Task Force.
- H. For purposes of Sections VIII(A), (B) and (G), an emergency situation can be declared by:
 - (1) Unanimous vote of all members of the Task Force Executive Committee present at an Executive Committee meeting prior to the meeting at which the Task Force votes on the model bill, resolution or policy statement; or
 - (2) At least three-fourth majority vote of the legislative and private sector Task Force members (voting in accordance with Section VIII (F)) present at the meeting at which the members vote on the model bill, resolution or policy statement.

- I. Ten Task Force members shall constitute a quorum for a Task Force meeting. One-half of the legislative and one-half of the private sector members of an Executive Committee shall constitute a quorum for an Executive Committee meeting.

IX. ***REVIEW AND ADOPTION PROCEDURES***

- A. All Task Force policy statements, model bills or resolutions shall become ALEC policy either: (1) upon adoption by the Task Force and affirmation by the Board of Directors or (2) thirty days after adoption by the Task Force if no member of the Board of Directors requests, within those thirty days, a formal review by the Board of Directors. General information about the adoption of a policy position may be announced upon adoption by the Task Force.
- B. The Executive Director shall notify the Board of Directors of the approval by a Task Force of any policy statement, model bill or resolution within ten days of such approval. Members of the Board of Directors shall have thirty days from the date of Task Force approval to review any new policy statement, model bill or resolution prior to adoption as official ALEC policy. Within those thirty days, any member of the Board of Directors may request that the policy be formally reviewed by the Board of Directors before the policy is adopted as official ALEC policy.
- C. A member of the Board of Directors may request a formal review by the Board of Directors. The request must be in writing and must state the cause for such action and a copy of the letter requesting the review shall be sent by the National Chairman to the appropriate Task Force Chair. The National Chairman shall schedule a formal review by the Board of Directors no later than the next scheduled Board of Directors meeting.
- D. The review process will consist of key members of the Task Force, appointed by the Task Force Chair, providing the support for and opposition to the Task Force position. Position papers may be faxed or otherwise quickly transmitted to the members of the Board of Directors. The following is the review and adoption procedures:
 - Notification of Committee: Staff will notify Task Force Chairs and the entire task force when the Board requests to review one of the Task Forces' model bills or resolutions.
 - Staff Analysis: Will be prepared in a neutral fashion. The analyses will include:
 - History of Task Force action
 - Previous ALEC official action/resolutions
 - Issue before the board
 - Proponents arguments

- Opponents arguments
- Standardized Review Format: To ensure fairness, a set procedure will be used as the format to ensure the model bill/resolution has a fair hearing before the Board.
 - Task Force Chair(s) will be invited to attend the Board Review
 - Task Force Chair(s) will decide who will present in support and in opposition for the model bill/resolution before the Board.
 - Twenty minutes that is equally divided will be given for both sides to present before the Board.
 - It is suggested that the Board not take more than twenty minutes to ask questions of the presenters.
 - Presenters will then be excused and the Board will have a suggested twenty more minutes for discussion and vote.
 - All votes will be recorded for the official record.
- Notification of Committee: The Director of Policy will notify presenters immediately after the vote. If the Board votes to send the model bill/resolution back to the task force, the Board will instruct the Director of Policy or another board member what to communicate.

E. The Board of Directors can:

- (1) Vote to affirm the policy or affirm the policy by taking no action, or
- (2) Vote to disapprove the policy, or
- (3) Vote to return the policy to the Task Force for further consideration providing reasons therefore.

F. Task Forces may only undertake educational activities that are based on a policy statement, model bill or resolution that has been adopted as official ALEC policy, unless the Task Force votes to undertake the educational activity, in which case the educational activity is subjected to the same review process outlined in this Section. It is the responsibility of the Task Force Executive Committee to affirm by three-fourths majority vote conducted in accordance with Section VIII that an educational activity conforms to a policy statement, model bill or resolution.

X. EXCEPTIONS TO THE TASK FORCE OPERATING PROCEDURES.

Exceptions to these Task Force Operating Procedures must be approved by the Board of Directors.